

Wetlands Delineation Policy

This policy was adopted by a unanimous vote of the Palmer Conservation Commission at the Commission's regularly scheduled public session held on April 4, 2017

The filing of an ANRAD/RDA is required for any Commercial, Industrial or High Density Residential site plan approval submitted to the Town for development/redevelopment, that has an area subject to the jurisdiction of the Wetlands Protection Act or the Palmer Wetlands Protection Ordinance on site or within 100 feet of the site; regardless of the proposed setbacks for the limit of work.

The burden of proof is on the applicant, to demonstrate to the Commission, the boundaries of the wetland resource areas are accurate as described in MGL Ch 131 & Palmer Wetlands Protection Ordinance. To overcome the presumption, credible evidence shall be submitted by a competent source demonstrating the boundaries comply with the WPA & PWO.

No work may not proceed until the applicant has received a positive confirmation of the delineated wetland resource area boundaries on the parcel.

This is because there is a growing body of research that suggests even "no disturbance" areas reaching 100 feet from wetlands may be insufficient to protect many important wetland resource characteristics and values. Problems of nutrient runoff, water pollution, siltation, erosion, vegetation change, and habitat destruction are greatly exacerbated by activities within 100 feet of wetlands. Thus, the Conservation Commission shall begin with the presumption that lands within the adjacent upland of a resource are so likely to result in the altering of those areas that delineation confirmation and preconstruction review is always justified.

This policy is intended to be consistent with the Massachusetts DEP's guidance as set forth in the MassDEP manual: "Delineating Bordering Vegetated Wetlands under the Massachusetts Wetlands Protection Act" (1995).